

A  
Box CD-ROM

CHOATE, HALL & STEWART

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

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J1046 U.S. PTO  
09/916849  
07/26/01

BOX PATENT APPLICATION  
ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, DC 20231

Express Mail No.: EL674751989US  
Attorney Docket No.: 2002850-0024 (S01-503)  
Date Filed: July 26, 2001

**UTILITY PATENT APPLICATION TRANSMITTAL**

(for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Dear Sir:

Please find enclosed a patent application and papers as follows for:

Inventor(s):

Given Name (first and middle)      Family Name or Surname      Residence

David	Botstein	Belmont, CA
Patrick O.	Brown	Stanford, CA
Chuck	Perou	Chapel Hill, NC
Matt	van de Rijn	Woodside, CA
Brian	Ring	Los Altos, CA
Douglas	Ross	Burlingame, CA
Rob	Seitz	Huntsville, AL

Title of the Invention:    BASAL MARKERS IN BREAST CANCER AND RELATED REAGENTS USES THEREOF

Express Mail No.: FL674751989US  
Date Filed: July 26, 2001

A) APPLICATION ELEMENTS:

1) ☐ **Fee Transmittal Form** (original and duplicate submitted for fee processing)

2) ☒ **Applicant Claims Small Entity Status** (see 37 CFR 1.27)

a) ☒ Statement Verifying Small Entity Status (optional)

3) ☒ **Specification**

TOTAL PAGES: 137

- Descriptive Title of the Invention
- Government Support
- Cross References to Related Applications (if applicable)
- Reference To Material Presented In Appendices
- Background of the Invention
- Summary of the Invention
- Brief Description of the Drawing (if filed)
- Brief Description of Appendices A - G (on CD-ROM)
- Brief Description of The Tables in Appendix H (on CD-ROM)
- Detailed Description Of Certain Preferred Embodiments
- Examples
- Claim(s)
- Abstract of the Invention

4) ☒ **Drawing(s)** (35 U.S.C. § 113)

TOTAL SHEETS: 12

a) ☐ Formal Drawings (if checked)

5) ☐ **Oath or Declaration**

TOTAL PAGES:           

a) ☐ Newly Executed (original or copy)

b) ☐ Copy from a prior application (37 C.F.R. § 1.63(d))-for  
continuation/divisional application

i) ☐ Deletion of inventor(s): Signed Statement deleting inventor(s) named  
in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

c) ☐ Unexecuted

6) ☐ **Application Data Sheet**. See 37 CFR 1.76.

7) ☒ **CD-ROM or CD-R in duplicate, large table or Computer Program  
(Appendix) with Transmittal**

8) ☐ **Nucleotide and/or Amino Acid Sequence Submission** (if applicable, all are

necessary)

- a) ☐ Computer Readable Form (CRF)
- b) ☐ Specification Sequence Listing on:
  - i) ☐ CD-ROM or CR-R (2 copies); or
  - ii) ☐ Paper
- c) ☐ Statements verifying identity of above copies

**B) ACCOMPANYING APPLICATION PARTS:**

- 9) ☐ **Assignment Papers** (cover sheet & document(s))
- 10) ☒ **37 C.F.R. § 3.73(b) Statement** (when there is an assignee)
- 11) ☒ **Power of Attorney**
- 12) ☐ **English Translation Document** (if applicable)
- 13) ☐ **Information Disclosure Statement (IDS)/PTO-1449**
- 14) ☐ **Copies of IDS Citations**
- 15) ☐ **Preliminary Amendment**
- 16) ☒ **Return Receipt Postcard (MPEP 503)** (specifically itemized)
- 17) ☐ **Certified Copy of Priority Document(s)** (if foreign priority is claimed)
- 18) ☒ **OTHER:** (if applicable, specified below)

-Printed version of Tables 3-16

**C) FOR CONTINUING APPLICATIONS:** (the appropriate box is checked, and certain information is provided below and in a preliminary amendment)

☐ CONTINUATION      ☐ DIVISIONAL      ☐ CONTINUATION-IN-PART (CIP)

OF PRIOR APPLICATION NO: \_\_\_\_\_

FILED: \_\_\_\_\_

EXAMINER: \_\_\_\_\_

GROUP/ART UNIT: \_\_\_\_\_

**FOR CONTINUATION OR DIVISIONAL APPLICATIONS ONLY:** THE ENTIRE DISCLOSURE OF THE PRIOR APPLICATION, FROM WHICH AN OATH OR DECLARATION IS SUPPLIED AS DETAILED ABOVE, IS CONSIDERED A PART OF THE DISCLOSURE OF THE ACCOMPANYING CONTINUATION OR DIVISIONAL APPLICATION AND IS HEREBY INCORPORATED BY REFERENCE.

**D.) PRIORITY CLAIM(S):**

This application claims the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below:

Application Number	Filing Date	Status
Application Number	Filing Date	Status
Application Number	Filing Date	Status

PCT Applications designating the United States:

Application Number	Filing Date	Status
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This application claims the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

Provisional Application(s):

60/220,967	July 26, 2000	
Application Number	Filing Date	Status

**E) METHOD OF PAYMENT OF FILING FEES FOR THIS APPLICATION:**

\_\_\_\_ Applicant claims small entity status 37 CFR 1.27

  X   A check is enclosed to cover the filing fees as determined on the fee

Express Mail No.: FL674751989US

Date Filed: July 26, 2001

transmittal enclosed herewith.

X The commissioner is hereby authorized to charge filing fees or credit  
any overpayment to deposit account number 03-1721.

Total filing fee amount \$ \_\_\_\_\_

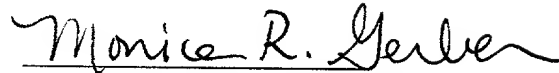
F) CORRESPONDENCE ADDRESS:

X Customer Bar Code Label: \_\_\_\_\_

X Correspondence Address:

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Respectfully Submitted,



Monica R. Gerber, M.D., Ph.D.  
Registration No. 46,724

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Date: July 26, 2001  
3296640\_1.DOC

ATTORNEY'S DOCKET NO: 2002850-0024 (SO1-503)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Botstein, et al.,  
Serial No.: N/A  
Filed: N/A  
For: BASIL MARKERS IN BREAST CANCER AND RELATED REAGENTS  
USES THEREOF

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

Sir:

**TRANSMITTAL OF COMPACT DISC CONTAINING COMPUTER PROGRAM**

**LISTING APPENDIX IN ACCORDANCE WITH C.F.R. § 1.52**

In accordance with C.F.R. §1.52 for the above-referenced application enclosed herewith are the following:

- 1) 1 compact disc meeting the following specifications:

List of Files:

1)	Appendix A	4,651
	Appendix B	481
	Appendix C	7,810
	Appendix D	3,721
	Appendix E	1238
	Appendix F	540
	Appendix G	377
	AppendixH_Table1	2,102
	AppendixH_Table2	760
	AppendixH_Table3	22
	AppendixH_Table4	25
	AppendixH_Table5	27
	AppendixH_Table6	655
	AppendixH_Table7	88
	AppendixH_Table8	28
	AppendixH_Table9-1	22
	AppendixH_Table9-2	22
	AppendixH_Table10	21
	AppendixH_Table11	22
	AppendixH_Table12	23
	AppendixH_Table13	21

AppendixH_Table14	23
AppendixH_Table15	21
AppendixH_Table16	21

Total number of bytes: 23,164,507  
Date of Creation: July 25, 2001  
Format: IBM-PC  
Operating System: Windows

2) A second compact disc (duplicate) which meets the above-mentioned specifications and contains the same information.

The two compact discs enclosed herein are identical.

Additionally, please charge any further fees associated with this filing or apply any credits to our Deposit Account No. 03-1721.

Respectfully submitted,



Monica R. Gerber, Reg. No. 46,724

Choate, Hall & Stewart  
Exchange Place  
53 State Street  
Boston, MA 02109  
(617) 248-5000  
Dated: July 26, 2001  
3296941\_1 DOC

2002-07-26 10:00:00